

**KERR SIMPSON ATTORNEYS AT LAW**  
2900 W. Horizon Ridge Parkway, Suite 200, Henderson, Nevada 89052  
Telephone: (702) 451-2055 Facsimile: (702) 451-2077

P. STERLING KERR, ESQ.

Nevada Bar No. 3978

GEORGE E. ROBINSON, ESQ.

Nevada Bar No. 9667

KERR SIMPSON ATTORNEYS AT LAW

2900 W. Horizon Ridge Parkway, Suite 200

Henderson, Nevada 89052

Telephone No. (702) 451-2055

Facsimile No. (702) 451-2077

Email: sterling@kerrsimpsonlaw.com

Email: george@kerrsimpsonlaw.com

CARRIE GOLDBERG, *Pro hac vice* To be filed

C. A. GOLDBERG, PLLC

16 Court Street, 33<sup>rd</sup> Fl.

Telephone No. (646) 666-8908

Email: carrie@cagoldberglaw.com

*Attorneys for Plaintiff*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

MELISSA HUTCHINSON aka PHOENIX  
MARIE, an individual,

Plaintiff,

v.

ETHICAL CAPITAL PARTNERS LTD., a  
foreign entity; AYLO PREMIUM LTD., a  
foreign corporation; DM PRODUCTIONS  
LTD., a foreign entity; DIGITAL  
PLAYGROUND, a foreign entity; MIND  
GEEK USA INCORPORATED, a foreign  
entity; MG PREMIUM LTD, a foreign  
entity; DM PRODUCTIONS, a foreign  
entity; DIGITAL PLAYGROUND, a foreign  
entity; DANNY MARTIN aka DANNY D,  
an individual; FRANK PETOSA an  
individual; RYAN HOGAN, an individual;  
MICHAEL WOODSIDE, an individual; and  
DOES 1 through 50.

Defendants.

Case No.: 2:24-CV-00673-GMN-BNW

**ORDER ON STIPULATION**

Under LR IA 6-1 and 6-2 and LR 7-1, Plaintiff Melissa Hutchinson aka Phoenix Marie

Under LR IA 6-1 and 6-2 and LR 7-1, Plaintiff Melissa Hutchinson aka Phoenix Marie (“Plaintiff”) and defendants Frank Petosa, Ryan Hogan, and Michael Woodside (“Removing Defendants”), by and through their attorneys, hereby agree and stipulate to the following:

1. On February 15, 2024, Plaintiff filed a Complaint in the Eighth Judicial District Court, Case No. A-24-887250-C, naming twelve defendants, including the Removing Defendants.

2. On April 5, 2024, the Removing Defendants filed a Notice of Removal to this Court. [ECF No. 1].

3. The Removing Defendants served Notice of Removal on Plaintiff’s counsel on April 9, 2024.

4. On May 3, 2024, Plaintiff filed her First Amended Complaint (“FAC”). [ECF No. 9].

5. On May 31, 2024, the Removing Defendants accepted service of the summons and complaint. [ECF No. 12].

6. On July 1, 2024, the Removing Defendants filed their Motion to Dismiss the FAC. [ECF No. 13].

7. Therein, the Removing Defendants made several jurisdictional arguments. *See id.*

8. On July 2, 2024, the Court issued its minute order regarding discovery plan and scheduling order. [ECF No. 14].

9. The Parties stipulated and agreed to a 14-day extension for Plaintiff to file a Response to the Removing Defendants Motion and Reply to Motion. [ECF No. 15].

10. The Parties hereby stipulate to another extension of the response deadline to the Motion to Dismiss of 14 days. The Response will be due on August 9, 2024. The Reply shall be due September 6, 2024.

11. This is the second request to extend the deadline for Plaintiff to oppose the Removing Defendants' motion to dismiss and the Removing Defendants' reply brief to Plaintiff's opposition.

12. This request an extension of time is not intended to cause any delay or prejudice any party.

Dated this 25<sup>th</sup> day of July, 2024.

**KERR SIMPSON ATTORNEYS AT LAW**

**McDONALD CARANO LLP**

By: /s/ George E. Robinson  
P. Sterling Kerr, Esq. (NSBN 3978)  
George E. Robinson (NSBN 9667)  
2900 W. Horizon Ridge Pkwy. Suite 200  
Henderson, Nevada 89052  
*Attorneys for Plaintiff Melissa Hutchinson  
aka Phoenix Marie*

By: /s/ John Fortin  
Rory T. Kay (NSBN 12416)  
John A. Fortin (NSBN 15221)  
2300 West Sahara Avenue, Suite 1200  
Las Vegas, Nevada 89102  
*Attorneys for Defendants Frank Petosa, Ryan  
Hogan, and Michael Woodside*

**IT IS SO ORDERED.**

  
UNITED STATES DISTRICT JUDGE

DATED: July 26, 202

KERR SIMPSON ATTORNEYS AT LAW  
2900 W. Horizon Ridge Parkway, Suite 200, Henderson, Nevada 89052  
Telephone: (702) 451-2055 Facsimile: (702) 451-2077

## Jennifer Hogan

---

**From:** George Robinson  
**Sent:** Thursday, July 25, 2024 10:01 AM  
**To:** Jennifer Hogan  
**Subject:** FW: Hutchison v. Ethical Capital

---

**From:** John A. Fortin <jfortin@mcdonaldcarano.com>  
**Sent:** Thursday, July 25, 2024 10:00 AM  
**To:** George Robinson <george@kerrsimpsonlaw.com>; Sterling Kerr <sterling@kerrsimpsonlaw.com>  
**Cc:** Rory T. Kay <rkay@mcdonaldcarano.com>; Leah Jennings <ljennings@mcdonaldcarano.com>; No Scrub <NoScrub@mcdonaldcarano.com>  
**Subject:** RE: Hutchison v. Ethical Capital

You may file. Thanks George.

**John Fortin** | Attorney



P: 702.873.4100 | E: [jfortin@mcdonaldcarano.com](mailto:jfortin@mcdonaldcarano.com)

---

**From:** George Robinson <[george@kerrsimpsonlaw.com](mailto:george@kerrsimpsonlaw.com)>  
**Sent:** Thursday, July 25, 2024 9:58 AM  
**To:** John A. Fortin <[jfortin@mcdonaldcarano.com](mailto:jfortin@mcdonaldcarano.com)>; Sterling Kerr <[sterling@kerrsimpsonlaw.com](mailto:sterling@kerrsimpsonlaw.com)>  
**Cc:** Rory T. Kay <[rkay@mcdonaldcarano.com](mailto:rkay@mcdonaldcarano.com)>; Leah Jennings <[ljennings@mcdonaldcarano.com](mailto:ljennings@mcdonaldcarano.com)>; No Scrub <[NoScrub@mcdonaldcarano.com](mailto:NoScrub@mcdonaldcarano.com)>  
**Subject:** RE: Hutchison v. Ethical Capital

Let me know if this is good to file. Thanks.  
George

---

**From:** John A. Fortin <[jfortin@mcdonaldcarano.com](mailto:jfortin@mcdonaldcarano.com)>  
**Sent:** Thursday, July 25, 2024 9:13 AM  
**To:** George Robinson <[george@kerrsimpsonlaw.com](mailto:george@kerrsimpsonlaw.com)>; Sterling Kerr <[sterling@kerrsimpsonlaw.com](mailto:sterling@kerrsimpsonlaw.com)>  
**Cc:** Rory T. Kay <[rkay@mcdonaldcarano.com](mailto:rkay@mcdonaldcarano.com)>; Leah Jennings <[ljennings@mcdonaldcarano.com](mailto:ljennings@mcdonaldcarano.com)>; No Scrub <[NoScrub@mcdonaldcarano.com](mailto:NoScrub@mcdonaldcarano.com)>  
**Subject:** RE: Hutchison v. Ethical Capital

George,

Thank you for your patience with this. First, in saving the version attached on our system, your formatting got messed and I do apologize about that. We made slight edits to the caption to conform with the Local Rules. Also, when looking at our schedule, we realized we needed to navigate the reply date with our previously scheduled vacations. Therefore, we pushed our reply to September 6, 2024. Please let me know if that is a problem.